

MEMO ENDORSED



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February 2, 2023

Hon. Nelson S. Roman
United States District Court Judge
The Hon. Charles L. Bricant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

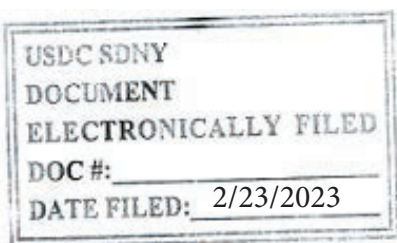
Re: **Admiral Insurance Company v. Builders Choice of New York, Inc. d/b/a
Upstate Roofing and Siding and Polivio Valdivieso**
Case No. 7:21-cv-02460-NSR-AEK
Our File No.: N-ADM-00186.1

Dear Judge Roman:

This firm represents the Plaintiff, Admiral Insurance Company (“Admiral”) in the captioned insurance declaratory judgment action and we submit herein this letter to the Court jointly with counsel for Builders Choice of New York, Inc. d/b/a Upstate Roofing and Siding (“Builders Choice”) and Third-Party Defendant, Evanston Insurance Company (“Evanston”). The underlying personal injury claimant, Polivio Valdivieso, has not appeared in the action.

On January 6, 2023, the parties appeared by telephone before Magistrate Judge Andrew Krause for a status conference. Further to the Court’s January 6, 2023 Minute Entry Order, Magistrate Krause directed that the fact discovery deadline was extended through April 28, 2023; and “no further extensions will be granted absent extraordinary circumstances.” On January 31, 2023, the parties submitted a joint status letter concerning the status of discovery. Magistrate Krause indicated that he was not going to set a further conference date until after he received the January 31 joint status report from the parties. Magistrate Krause has now scheduled a telephone Status Conference for April 10, 2023.

Accordingly, the parties hereby request that the conference scheduled for February 28, 2023 before Your Honor be adjourned pending the completion of fact discovery.






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Thank you very much for the Court's attention.

Respectfully submitted,

PILLINGER MILLER TARALLO, LLP

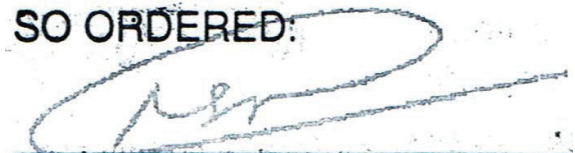
By _____
Neil L. Sambursky

cc: Sean McAloon, Esq.
Matthew C. Ferlazzo, Esq.

In light of the extension of the discovery deadlines, the parties' joint request to adjourn the telephonic Status Conf. from Feb. 28, 2023 until May 18, 2023 at 10:00 am is GRANTED. Counsel are directed to this Court's Order at ECF No. 26 for dial-in instructions. Clerk of Court is requested to terminate the motion at ECF No. 60.

Dated: White Plains, NY
February 23, 2023

SO ORDERED:

A handwritten signature in blue ink, appearing to be 'N. Roman', written over a horizontal line.

HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE